

### **REMARKS**

Claims 1, 3, 4, 6, 7 and 22 - 50 are pending in the above-identified application. Claims 6, 22 - 30, 33 - 36 and 38 - 50 were withdrawn from consideration.

In the Office Action of July 16, 2003, Claims 1, 3, 4, 7, 31, 32 and 37 were rejected. No claim was allowed. In response, the claims are amended as set forth in the attached list of claims. Reexamination and reconsideration are respectfully requested in view of the foregoing amendments and the following remarks.

### **Objections to the Claims**

Claim 7 was objected to on the alleged grounds that the sequence identifier should be identified as "SEQ ID NO:1" rather than "SEQ ID No. 1". In response, Claim 7 is amended accordingly.

### **Rejection of Claims 1, 3, 4, 7, 31, 32 and 37 under 35 U.S.C. §112, second paragraph**

Claims 1, 3, 4, 7, 31 and 37 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner alleged that it is indefinite whether the protein claimed in Claim 1 must comprise only units having the stated positions in SEQ ID NO:2 or whether the claimed protein must comprise the sequences having the stated positions in SEQ ID NO:2.

In response, Claim 1 is amended to specify that the h-  $\beta$ TrCP protein has the sequence of SEQ ID NO:2. Accordingly, it is respectfully submitted that the rejection for indefiniteness is thereby overcome.

Regarding Claim 7, the Examiner alleged that the Claim is indefinite because of issues relating to the recitation of a DNA sequence that hybridizes with the sequence SEQ ID NO:1. In response, this recitation of a hybridizing sequence is deleted from Claim 7.

Accordingly, it is respectfully submitted that the rejection of Claims 1, 3, 4, 7, 31 and 37 under 35 U.S.C. §112, second paragraph, is thereby overcome.

**Rejection of Claims 1, 3, 4, 7, 31 and 32 under 35 U.S.C. §112, first paragraph**

Claims 1, 3, 4, 7, 31 and 32 were rejected under 35 U.S.C. §112, first paragraph, on the alleged grounds that the claims as written can have any number of a wide variety of sequences. In response, independent Claim 1 is amended to specify that the claimed protein has SEQ ID NO:2.

Accordingly, it is respectfully submitted that the rejection of Claims 1, 3, 4, 7, 31 and 32 under 35 U.S.C. §112, first paragraph, is thereby overcome.

**Rejection of Claims 1, 3, 4, 7, 31 and 32 under 35 U.S.C. §102(b) over Spevak et al**

Claims 1, 3, 4, 7, 31 and 32 were rejected under 35 U.S.C. §102(b) as anticipated by Spevak et al. (Mol. Cell Biol. (1993) 13: 4953-4966). The Examiner alleged that Spevak discloses a protein having the units, an F-box and 7 WD domains as described in Claim 1

In response, Claim 1 is amended to specify that the claimed protein h- $\beta$ TrCP has SEQ ID NO: 2. A protein having SEQ ID NO: 2 is neither taught nor suggested by Spevak.

Accordingly, it is respectfully submitted that the rejection of Claims 1, 3, 4, 7, 31 and 32 under 35 U.S.C. §102(a) over Spevak is thereby overcome.

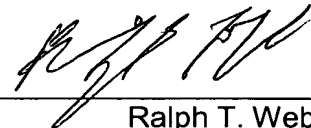
**Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1, 3, 4, 7, 31, 32 and 37 are in condition for allowance. Favorable reconsideration is respectfully requested.

Should the Examiner believe that anything further is necessary to place this application in condition for allowance, the Examiner is requested to contact applicants' undersigned attorney at the telephone number listed below.

Kindly charge any additional fees due, or credit overpayment of fees, to Deposit Account No. 01-2135 (935.38812X00).

Respectfully submitted,  
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